

THIS AMENDMENT:			
_____ Passed _____	Passed as amended by _____		
_____ Failed _____	_____ Not Offered _____	RECEIVED	Withdrawn



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2009 SEP -9 A 9:08

ORIGINAL

REVISED PIERCE PROPOSED AMENDMENT #1

DATE PREPARED: September 8, 2009

DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

SEP - 8 2009

COMPANY: Arizona Public Service Company

DOCKET NOS: E-20690A-09-0346

DOCKETED BY	<i>[Signature]</i>
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OPEN MEETING DATES: September 9, 2008

AGENDA ITEM: U-3

Page 12, Line 17

DELETE line 17 through page 13, line 7.

INSERT the following:

"1. The Commission, having reviewed the Application and Staff's Memorandum dated August 14, 2009, concludes that it is in the public interest to extend preliminary relief to Solar City and the Scottsdale Unified School District while determination of whether Solar City is a public service corporation remains open pending future determination of that issue in Track 2 in this Docket.

2. The Commission's findings in this Track 1 are made without prejudice to the Applicant's and other parties' positions or arguments to be presented in Track 2 of this Docket.

3. If the Applicant's request in Track 2 of these proceedings is granted, and it is ultimately determined that SolarCity is not acting as a Public Service Corporation when it enters into SSAs with schools, non-profits and governmental entities; then this Order will be void and of no further effect.

4. If the Applicant's request in Track 2 of these proceedings is denied, and it is ultimately determined that SolarCity is acting as a Public Service Corporation when it enters into SSAs with schools, non-profits and governmental entities; then the Commission's approval of the Desert Mountain High School Solar Service Agreement and the Coronado High School Solar Service Agreement as special contracts herein shall survive that determination.

ORDER

IT IS THEREFORE ORDERED that the rates proposed in the Solar Service Agreements between SolarCity and Scottsdale Unified School District for photovoltaic projects at Desert Mountain High School and Coronado High School be and hereby are approved as special contract rates as discussed herein.

IT IS FURTHER ORDERED that a rate of \$0.11 per kWh for the Desert Mountain High School Solar Service Agreement and the Coronado High School Solar Service Agreement be approved and that this rate may be adjusted downward or it may be adjusted upward to a maximum of \$0.1424 per kWh, pursuant to the Solar Service Agreement's rebate-variance provision."

Conforming changes.